



## THE CARLSBAD CITY COUNCIL WELCOMES YOUR PARTICIPATION

MAY 25, 2010 AGENDA

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### CITY COUNCIL

#### TO SPEAK TO COUNCIL AT TONIGHT'S MEETING:

1. For Public Hearings it is not necessary to fill out a "Speaker Card". For all other items, fill out a "Speaker Card".
  - a. For items listed on the agenda (including Consent Calendar), there is a five (5) minute time limit on individual speakers.
  - b. For items not listed on the agenda (Public Comment), there is a three (3) minute time limit on individual speakers.
2. Before the item is heard, place the card in the clear tray marked Speaker Slips. It is located on the wall adjacent to the Deputy City Clerk.
3. When called by the Mayor, come forward and begin by stating your name and address.

#### OTHER INFORMATION:

- Citizens may have an item listed on a future agenda by submitting a letter to the City Manager. Unless the Mayor, with the consent of the Council, otherwise directs, such presentations shall be limited to ten (10) minutes.
- It is Council's policy to adjourn meetings no later than 10:00 P.M.
- Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990 by contacting the City Manager's office at (760) 434-2821. All persons requiring reasonable accommodations or auxiliary aids in order to effectively participate in the meeting may contact the City Manager's office by noon on the Monday preceding the meeting to make such arrangements.
- *PLEASE NOTE: Any agenda related writings or documents provided to the majority of the Council, Board or Commission after distribution of the Agenda packet, will be available for public inspection at the City Clerk's counter located at 1200 Carlsbad Village Drive, Carlsbad, CA 92008. In addition, a binder containing all agenda related writings and documents will be held by the Deputy City Clerk at each Council, Board or Commission meeting and available for public review.*
- *VISUAL MATERIALS FOR CITY COUNCIL: Visual materials should be submitted to the City Clerk's Office no later than noon on the day of a Regular Council Meeting. These materials will be placed on a computer in Council Chambers for public use. Please label all materials with the agenda item number you are representing. Please refer to the time limit maximum for items submitted for viewing. All presentations/digital materials are considered part of the maximum time limit provided to speakers. All materials exhibited to the Council during the meeting (slides, maps, etc.) are part of the public record and must be kept by the Clerk for 60 days after final Council action on the matter. Your materials will be returned upon written request. **Video clips cannot be accommodated.***

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The Agenda and Agenda Bills are available on the City's website:

[www.carlsbadca.gov](http://www.carlsbadca.gov)

CALL TO ORDER: 6:00 P.M.

ROLL CALL: ALL PRESENT

APPROVAL OF MINUTES: **APPROVED 5/0**

Minutes of the Regular Meeting held April 27, 2010.

Minutes of the Joint Special held April 27, 2010.

Minutes of the Special Meeting held May 4, 2010.

Minutes of the Regular Meeting held May 11, 2010.

PRESENTATION:

Proclamation presentation in recognition of Olympian Gretchen Bleiler.

**CONSENT CALENDAR:** *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed. There will be no separate discussion on these items prior to the vote, unless an item is removed.*

**WAIVER OF ORDINANCE TEXT READING:** **APPROVED**

**This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.**

1. **AB #20,236 – ACCEPTANCE OF DONATION.**

Accepting a cash donation from the Point Loma Credit Union in support of the 2010 EGGstravaganza Spring Festival; and, authorizing the donation to be appropriated in the Park and Recreation's Special Events fund.

Resolution No. 2010-119.

**ACTION: APPROVED 5/0**

2. **AB #20,237 – ADVERTISE FOR BIDS.**

Approving the plans and specifications for the construction of the Leo Carrillo Ranch Barn Restoration; and, authorizing the City Clerk to advertise for bids, Project No. 45051.

Resolution No. 2010-120.

**ACTION: APPROVED 5/0**

3. **AB #20,238 – AUTHORIZE GRANT APPLICATION TO THE CALIFORNIA LIBRARY LITERARY SERVICE.**

Authorizing the City Library to apply for a grant from the California Library Literacy Service and accept any award of grant funds.

Resolution No. 2010-121.

**ACTION: APPROVED 5/0**

4. **AB #20,239 – APPROVE FINAL MAP FOR OCEAN COLLECTION.**

Approving the Final Map for Ocean Collection; and, authorizing the Final Map to be recorded, CT 07-12.

Resolution No. 2010-122.

**ACTION: APPROVED 5/0**

5. **AB #20,247 – APPROVE INCREASE IN CONTINGENCY FOR CONSTRUCTION OF ALGA NORTE COMMUNITY PARK.**

Approving and authorizing an increase in the contingency for the construction of Alga Norte Community Park, Project No. 3837.

Resolution No. 2010-128.

**ACTION: APPROVED 5/0**

## CONSENT CALENDAR (Continued)

6. AB #20,240 – APPROVE GRANT REQUEST FROM AVIARA OAKS MIDDLE SCHOOL.  
Approving a Winning Teams Grant for the Aviara Oaks Middle School Odyssey of the Mind Team; and, authorizing the appropriation of funds for the award.  
Resolution No. 2010-123.  
ACTION: **APPROVED 5/0**
7. AB #20,241 – CONTINUATION OF DECLARATION OF LOCAL EMERGENCY.  
Continuing the Declaration of Local Emergency for repair and stabilization of a road fill failure along the number two land of Carlsbad Boulevard Southbound, southerly of the Encinas Creek Bridge; and, appropriating additional funds, Project No. 6032.  
Resolution No. 2010-124.  
ACTION: **APPROVED 5/0**
8. AB #20,242 – REPORT ON CITY INVESTMENTS.  
Accepting the City Treasurer's Report on City Investments as of April 30, 2010.  
ACTION: Council accepted the report.

## **ORDINANCE FOR ADOPTION:**

9. AB #20,243 – AMEND CARLSBAD MUNICIPAL CODE REGARDING QUALIFICATIONS FOR CITY TREASURER.  
Adopting Ordinance No. CS-080, adding Section 2.08.022 to the Carlsbad Municipal Code, establishing certain minimum criteria for eligibility for the elected office of City Treasurer.  
ACTION: **Council adopted ORDINANCE NO. CS-080. 5/0**

## **PUBLIC COMMENT:**

*In conformance with the Brown Act, no Council action can occur on items presented during Public Comment.*

*A total of 15 minutes is provided so members of the public can address the Council on items that are not listed on the Agenda. Speakers are limited to three (3) minutes each. If you desire to speak during Public Comment, fill out a **SPEAKER CARD** and place it in the clear tray on the wall adjacent to the Deputy City Clerk. If there are more than five (5) speakers, the remaining speakers will be heard at the end of the agenda just prior to Council Reports.*

*When you are called to speak, please come forward and state your name and address.*

## **PUBLIC HEARINGS:**

10. AB #20,244 – TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS.  
To consider approving the Carlsbad TransNet Local Street Improvement Program of Projects for fiscal years 2010/11 through 2014/15.  
Resolution No. 2010-125.  
ACTION: **Council adopted RESOLUTION NO. 2010-125. 5/0**

11. AB #20,245 – APPEAL OF PLANNING COMMISSION APPROVAL OF COASTAL DEVELOPMENT PERMIT – GOETZ SEAWALL.

To consider an appeal of the Planning Commission's approval of Coastal Development Permit CDP 09-13, Special Use Permit SUP 09-05, and the determination that the project is exempt from the California Environmental Quality Act, for a post Emergency Coastal Development Permit for the construction of a 97-foot long by 17 to 24-foot tall bluff-colored and textured seawall along the coastal bluff and below the residences located at 5323 and 5327 Carlsbad Blvd., located on the west side of Carlsbad Blvd and northerly of Cerezo Drive.

Resolution No. 2010-126.

ACTION: **Council adopted RESOLUTION NO. 2010-126, as amended denying the appeal. (See Minutes for details) 5/0**

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

12. AB #20,248 – SPECIAL EVENT GRANT REQUEST FOR ARTSPLASH.

To consider authorizing a Special Event Grant to Artsplash for the Artsplash 2010 Event; and, authorizing the Finance Director to appropriate funds for the event.

Resolution No. 2010-129.

ACTION: **Council adopted RESOLUTION NO. 2010-129.**

13. AB #20,246 –APPOINTMENT TO THE ARTS COMMISSION.

To consider appointing one member to the Arts Commission.

Resolution No. 2010-127.

ACTION: **Council adopted RESOLUTION NO. 2010-127, appointing Pamela Friese to the Arts Commission. 5/0**

**PUBLIC COMMENT:** Continuation of the Public Comments (if necessary)

*The remainder of the categories are for reporting purposes. In conformance with the Brown Act, no public testimony and no Council action can occur on these items.*

COUNCIL REPORTS AND COMMENTS: (\*=Appointed by other agency) (Revised 3/24/10)

**BLACKBURN**

Buena Vista Lagoon JPC  
Chamber of Commerce Liaison  
City/School Committee  
Encina Joint Powers (JAC)  
Encina Wastewater Authority  
San Diego County Water Authority Board of Directors  
North County Dispatch Joint Powers Authority (alternate)

**PACKARD**

Buena Vista Lagoon JPC  
City/School Committee  
North County Transit District Board of Directors  
NCTD Performance, Administration and Finance Committee  
League of California Cities - SD Division  
North County Dispatch Joint Powers Authority

**HALL**

Chamber of Commerce Liaison  
SANDAG Board of Directors  
SANDAG Executive Committee  
SANDAG Transportation Committee

**KULCHIN**

CalCoast Board of Directors  
Carlsbad ConVis (alternate)  
Encina Joint Powers (JAC)  
Encina Wastewater Authority (EWA)  
North County Transit District (alternate)  
\*San Diego Authority for Freeway Emergencies (SAFE)  
SANDAG Board of Directors (2<sup>nd</sup> alternate)  
\*SANDAG Shoreline Preservation Committee

**LEWIS**

LAFCO Cities Advisory Committee  
North County Mayors and Managers  
SANDAG (1<sup>st</sup> alternate)  
San Diego County Water Authority Board of Directors, Chair

CITY MANAGER COMMENTS:

CITY ATTORNEY COMMENTS:

**ANNOUNCEMENTS:**

This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

ADJOURNMENT.